

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RUNAWAY RECORDS)	
PRODUCTIONS, LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 21-752
)	
FRANCISCAN UNIVERSITY)	
OF STEUBENVILLE,)	
)	
Defendant.)	

ORDER OF COURT

AND NOW, this 10th day of May, 2023, in accordance with the Memorandum Opinion filed this day, IT IS HEREBY ORDERED that:

1. Plaintiff and Counterclaim Defendant Runaway Records Productions, LLC's ("Runaway") Motion to Dismiss Counterclaim Pursuant to Rule 12(b)(6) (Docket No. 23), for failure to state a claim upon which relief can be granted, is GRANTED IN PART AND DENIED IN PART. The motion is DENIED to the extent it seeks the dismissal of Counts I and II of Defendant and Counterclaimant Franciscan University of Steubenville's Counterclaim, and it is GRANTED to the extent it seeks the dismissal of Count III of the Counterclaim. Accordingly, Count III is DISMISSED WITH PREJUDICE.
2. Runaway shall file its answer to the remaining claims set forth in the Counterclaim by **June 9, 2023.**

s/ W. Scott Hardy
W. Scott Hardy
United States District Judge

cc/ecf: All counsel of record